

HALL MISTRIAL MOTION IS DENIED; CASE WILL SOON GO TO THE JURY

Simpson Loses Plea On Ground That Jurors Slept and One Cursed Him

By JACK MILEY
GRAPHIC Staff Correspondent

SOMERVILLE, N. J., Dec. 1.—Supreme Court Justice Charles W. Parker this afternoon denied the motion of Special Prosecutor Alexander Simpson for a mistrial in the Hall-Mills case.

The decision was rendered soon after court had convened for the afternoon session and thwarted Simpson's last-minute attempt to gain vindication for the apparent collapse of the prosecution.

"The court has considered these affidavits and has decided to deny the motion for a mistrial," Justice Parker declared when he took the bench at 1.40.

It was a tense moment. Mrs. Hall had gripped the arms of her chair as the judges entered. Henry Stevens glared from under his bushy eyebrows, and Willie's eyes bulged.

After Justice Parker's low-voiced announcement in their favor the little group relaxed visibly. There was a faint smile on Mrs. Hall's face and Willie grinned broadly.

The motion, based on the alleged misconduct of the jury, and predicted for several days past, came immediately after court convened and the jurors had been withdrawn from the room.

Later, while Supreme Court Justice Parker had the matter under consideration, the prosecutor sought to further strengthen his application by reading an affidavit signed by Gilbert Van Doren, proprietor of the hotel where the jury has been housed during the trial.

In his sworn statement, Van Doren set forth he had heard Juror John Young hurl a foul epithet at Simpson and also at Mrs. Jane Gibson, principal state witness.

"On the night that Mrs. Gibson had testified," the prosecutor went on to read, "the jurymen were joking about a good meal they had had. I told them to wait until they got locked up, and there would not be so much fun. One of them said:—

"Oh, hell! We won't be there twenty minutes."

Talked With Door Open

Van Doren claims he told Young that Mrs. Gibson was an honest woman and that Jurors Roach, Hope and Young often talked over

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Zizi Gets Rebuff, Court Throws Out Suit Against Carol

PARIS, Dec. 1 (By U. P.).—Mme. Zizi Lambrino's effort to obtain support for herself and the name of former Crown Prince Carol of Rumania for her child was rebuffed today by the Seine Tribunal, which declared itself incompetent to judge two suits brought by Zizi against the prince.

Zizi was Carol's first wife, of non-royal birth and a Rumanian. The Rumanian constitution forbids such alliances, and Zizi and Carol had not lived together long when, shortly after the war, Queen Marie and King Ferdinand compelled their son to leave his wife. The marriage was annulled and Princess Helen of Greece was chosen to be Crown Princess.

A son born to Zizi and Carol now is ready to go to school. His mother wants him to be known by the name Hohenzollern, Carol's last name, and sued for the right to use the name. Without it, she explained, the boy could not enter the exclusive Paris school she had selected for him.

Queen Marie and Carol Meet Secretly in Paris

LONDON, Dec. 1.—Advices from Paris today state that Queen Marie, who arrived there at midnight, lost no time today in meeting her son, the former Crown Prince Carol, who in January renounced his right to the Rumanian throne.

She left the Ritz at 10 a. m., and in a taxi drove through Boulevard Vineau, in Neuilly, past the resi-

ference with her son had terminated. Neither would make a statement.

Plans Fight for Power

The Queen has decided definitely to leave for Bucharest tonight. She will take the Simplon express, leaving at 8.35 p. m.

While the servants gather her baggage for the last leg of her journey she is reported worried over the battle she must stage with Helen, wife of the former Crown Prince Carol, for membership in the regency council which was established to rule Rumania if Ferdinand died before his grandson, Michael, became of age. Which ever woman wins has a heavy advantage in the fight for the balance of power.



Prince Carol



Queen Marie

dence of Carol, and met him in a private room in a fashionable restaurant in the Bois de Boulogne.

The taxi chauffeur managed to elude newspaper men, and they did not find the Queen until the con-

Passing "Buck"



GOV. A. HARRY MOORE of New Jersey (above) said today in reply to letter from Special Prosecutor Simpson (below) demanding that he take note of alleged misconduct on the part of the Hall jury, that it was up to Simpson entirely as to what action to take.

METHODIST CONTRIBUTION

New contributions of \$47,396 were announced today at a luncheon given in the Hotel Commodore by workers for the Diamond Jubilee Endowment Fund of the Methodist Episcopal Church Home for the Aged at Amsterdam Avenue and 92d Street.

Clearing House (Official figures)

Exchanges	\$1,271,000,000
Balances	118,000,000
Credit balance	103,000,000

Nursery Rhymes a la Hall-Mills



Dog, dog, bite pig;
Piggy won't get over the stile;
And I shan't get home tonight.

Hall Trial Testimony In; Simpson Ends Rebuttal; Di Martini Contradicted

By LEO J. CASEY
GRAPHIC Staff Correspondent

SOMERVILLE, N. J., Dec. 1.—With the taking of testimony completed, indications are that the Hall-Mills murder case will be placed in the jury's hand tomorrow night, or Friday.

Escaped Convict, Pals, Held in Theft Of \$45,000 Jewels

Terrence Stuart, 28, of Memphis, an escaped convict from a New York state prison, where he was sentenced for a holdup, was arrested early today, charged with stealing more than \$45,000 in gems from homes of two wealthy New Yorkers. Two others are held with him pending investigation of their connections.

The arrest occurred at 954 Gates Ave., Brooklyn, where police found also Samuel Stern, 20, and John Martino, 22. Stuart had been occupying the apartment with a girl, police say. It is charged he obtained a job as a window cleaner in the home of Carlisle J. Gleason, of 772 Madison Ave., and later in the home of Mrs. Mary Crimins, of 157 East 63d St.

Mrs. Crimins lost \$20,000 in gems and Gleason the remaining \$25,000. The first robbery took place on November 3.

Stern told the police Stuart had asked him to try to dispose of some diamonds, but he denied any connection with the robberies. Martino said he was just a friend of Stuart's and knew nothing about him or the robberies.

Arraigned before Magistrate Richard McKinley in Harlem Court, they were held without bail for hearing Friday.

British Dean Asks U. S. to Remit Fine

BOSTON, Dec. 1 (By U. P.).—The United States Customs Court today had under advisement the appeal of the Very Rev. Frank S. M. Bennett, dean of Chester, England, from a \$303.75 fine imposed because, it was alleged, the dean underestimated the value of 850 copies of his ecclesiastical works brought into the country through this port.

"I was under the impression," he said, "that the cost of printing the books was proper to place as the value upon them."

The testimony adduced today was all in rebuttal. Special Prosecutor Simpson produced several witnesses who testified that Felix Di Martini had spoken to Mrs. Mary Demarest in Brooklyn; the defense produced others to prove that he had not.

Mrs. Demarest, a prosecution witness, had said Di Martini, Mrs. Hall's private detective, had greeted her prior to his extradition proceedings. The sleuth denied this.

A sister of Mrs. Eleanor R. Mills, the slain choir singer, declared Di Martini informed her he had visited Mrs. Jane Gibson. With this the state ended its rebuttal.

Writing Expert Called

The defense called a handwriting expert to support Henry Stevens' statements concerning entries in his diary and a fingerprint expert reiterated testimony of others concerning the marks on the calling card picked up near the bodies of Mrs. Mills and the Rev. Edward W. Hall.

Mrs. Frances Stevens Hall and her brothers, Henry and Willie Stevens, were in their usual high spirits on entering court. They listened attentively to the mistrial argument, which was carried on while the twelve men who are to decide their fate waited in an ante-room.

Capt. Harry Walsh, one of Simpson's rebuttal witnesses, took the stand when the case was resumed.

Contradicts Di Martini

By Simpson:—
Q. Were you in Brooklyn in an elevator with Mrs. Demarest and Di Martini the day of his extradition hearing? A. Yes, Lieut. Cledeuch, Sergeant Burke, Sergeant Trainor and Rogers, a newspaperman, were in the car.

Q. What did Di Martini say? A. He said: "Hello, Mrs. Demarest."

Di Martini on the stand denied this. He contends he never knew Mrs. Demarest, who accuses him of having attempted to bribe her.

By Case:—
Q. Why were you there? A. I was there to find out if Di Martini

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Held as Woman's Hacker, Stevedore Denies Killing

Charged with cutting up the body of Mrs. Anna Fredrickson, 42, of 566 Henry St., early yesterday in his flat at 56 Sackett St., Frank Travia, 44, stevedore, was held without bail for further hearing Friday by Magistrate McCloskey in Brooklyn Homicide Court.

Travia, according to the police, admits dismembering the body, but maintains he believed the woman already had died a natural death. He said he spent the better part of the night in the gruesome butchery. An autopsy was to be held late today.

Travia was arrested early yesterday after a chase, when he threw a large sack, containing the severed arms and legs, into the East River at the foot of Hamil-

ton Avenue, Brooklyn. His room revealed the battered head and torso.

Mother of Three

Frederick Fredericksen, husband of the dead woman, reasserted today that his wife was a good woman and that she had been lured into the flat by Travia. She was mother of three children.

Travia appeared dazed when arraigned. He had no comment to make.